

U/SSN 09/981,413

Amendment Responsive to Office Action dated 11/16/2005

Attorney Docket No. 9D-EC-19899/064853-031

### **REMARKS/ARGUMENTS**

Claims 1-16 stand rejected as being anticipated US patent No. 6,937,993 (hereinafter referred to as Gabbita). Reconsideration of the rejections is solicited in view of the foregoing amendments and the following remarks.

Claims 1-16 are pending in the present application. Claims 1 and 9 have been amended to emphasize aspects of the present invention.

#### **Anticipation Rejections**

Regarding any rejection under §102, it is noted that the test for anticipation is whether all the elements and operational relationships of the rejected claim are found within a single prior art reference. There must not be any differences between the claimed invention and the reference disclosure as viewed by a person of ordinary skill in the art. Absent from the reference disclosure of any claim element and/or operational interrelationship negates anticipation under §102.

Claim 1 is directed to a computerized method for managing and communicating information regarding an order of goods among a plurality of teams responsible for performing tasks through designated personnel that, when successfully performed, allow for fulfilling an order within a requested delivery date. Claim 1 in part recites providing memory for storing a rulebase including a set of rules configured to determine at least a potential cause impeding progress of any order relative to its respective requested delivery date. The set of rules is programmed to automatically assign an order and a predefined corrective action to selected personnel in a respective team, based, at least in part, on the nature of the cause impeding order progress. Data gathered in a database is processed relative to the rulebase for performing the automated assignment of the order and the predefined corrective action to the selected personnel in the event lack of order progress is determined. A message is then triggered to notify the selected personnel of the assignment of the order and the predefined corrective action.

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Gabitta is directed to a system and method for processing and tracking telecommunication service orders. Gabitta describes in the abstract section that "if a service order is delayed, users can immediately determine information about the delay and take corrective action before it becomes critical". That is, the system of Gabitta merely informs the users about the delay so that they can select a corrective action to perform. This is different from the structural and/or operational relationships set forth in claim 1 wherein an order and a predefined corrective action are automatically assigned to selected personnel. That is, in the claimed invention the personnel do not have to decide what the corrective action is, since the corrective action is automatically assigned to them. Gabitta nowhere describes or suggests any automated assignment of a predefined corrective action to the user. See for example, summary of Gabbita at column 2, line 10 et. seq., "if an order is delayed, the telecommunications company employees can immediately determine the cause of the delay so that corrective action can be taken . . . ." This is consistent with the abstract of Gabbita discussed above. That is, in Gabbita the telecommunications company employees determine the cause of the delay and then determine the corrective action to pursue. This is clearly inapposite to the claimed invention.

In view of the foregoing, it is respectfully submitted that Gabbita fails to describe the structural and/or operational relationships set forth in claim 1. Consequently, Gabbita fails to anticipate claim 1 under the §102 statutory requirements and this rejection should be withdrawn.

Claims 2-8 depend from claim 1 and thus incorporate the structural and/or operational relationships set forth in claim 1 plus their own recitations. It is respectfully submitted that Gabbita also fails to anticipate claims 2-8 under the §102 statutory requirements and these rejections should be withdrawn.

Claim 9 is directed to a computerized system for managing and communicating information regarding an order of goods among a plurality of teams responsible for performing tasks through designated personnel that, when successfully performed, allow for fulfilling an order within a requested delivery date. Claim 9 in part recites memory for storing a rulebase including a set of rules configured to determine at least a

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potential cause impeding progress of any order relative to its respective requested delivery date. The set of rules is programmed to automatically assign an order and a predefined corrective action to selected personnel in a respective team, based, at least in part, on the nature of the cause impeding order progress. A processor is configured to process the gathered data in the database relative to the rulebase for performing the automated assignment of the order and the predefined corrective action. As noted above, Gabbita fails to describe any set of rules that are programmed to automatically assign an order and a predefined corrective action to selected personnel. Gabbita further fails to describe a processor configured to process the gathered data in the database relative to the rulebase for performing the automated assignment of the order and the predefined corrective action. Thus, it is respectfully submitted that Gabbita also fails to describe the structural and/or operational relationships set forth in claim 9. Consequently, Gabbita fails to anticipate claim 9 under the §102 statutory requirements and this rejection should be withdrawn.

Claims 10-16 depend from claim 9 and thus incorporate the structural and/or operational relationships set forth in claim 9 plus their own recitations. It is respectfully submitted that Gabbita also fails to anticipate claims 10-16 under the §102 statutory requirements and these rejections should be withdrawn.

It is respectfully submitted that each of the claims pending in this application recites patentable subject matter and it is further submitted that such claims comply with all statutory requirements and thus each of such claims should be allowed.

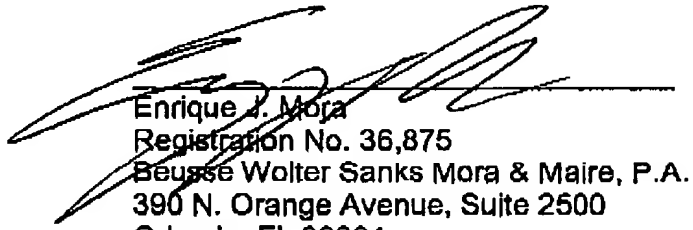
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The Examiner is invited to call the undersigned if clarification is needed on any aspects of this Reply/Amendment, or if the Examiner believes a telephonic interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,



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